

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION

Cody Prudente, as Personal Representative  
of the Estate of John Prudente, Jr.,  
deceased,

Sandra Prudente, and

John Prudente, Sr.,

Plaintiffs,

v.

Mary Hamilton, individually and in her  
official capacity as a City of Mandan  
Police Officer,

Joshua Scherr, individually and in his  
official capacity as a City of Mandan  
Police Officer,

Dominic Hanson, individually and in his  
official capacity as a City of Mandan  
Police Officer,

Peter Czapiewski, individually and in his  
official capacity as a Lieutenant of City of  
Mandan Police,

David Raugust, individually and in his  
official capacity as a Sergeant of City of  
Mandan Police, and

City of Mandan,

Defendants.

Civil No: 1:22-cv-00024

**AFFIDAVIT OF BRANDON HAUCK**

STATE OF NORTH DAKOTA )  
) ss.  
COUNTY OF MORTON )

The undersigned, herein being duly sworn and deposed, states the following:

[1] My name is Brandon Hauck. At all relevant times, I was a police officer employed by the City of Mandan. As such, I have personal knowledge of the information contained in this affidavit.

[2] On February 8, 2020, I responded to backup Officer Hamilton on the traffic stop which she advised was fleeing. I overheard the radio advise Hamilton of the warrant. Sergeant Raugust radioed the location and Officer Hauck proceeded to the location. In route, I overheard Officer Hamilton appear to struggle with something or someone. Officer Hamilton and Sergeant Raugust were not answering radio traffic.

[3] When I arrived, I observed John Sr. hunched over near Sergeant Raugust's right side. Sergeant Raugust, Officer Hamilton, and Lieutenant Czapiewski were surrounding Prudente attempting to take him into custody. Prudente was laying down.

[4] I instructed John Sr. to back away. John Sr. was yelling so I focused on containing John Sr., who eventually agreed to leave the scene.

[5] I then turned my attention to Prudente and was advised to return the rifle to the patrol vehicle – which I did. When I returned to the scene, I observed that Prudente was no longer making noise or moving. Officer Scherr began a sternum rub.

[6] At around 5:07 p.m., I ran to my vehicle and returned with an AED and assisted with CPR. I was unable to detect a pulse.


[7] At approximately 5:08 p.m., members of the Mandan Fire Department arrived on scene and assisted with performing life saving measures. I administered Narcan at the direction of firefighters. Metro Area Ambulance personnel arrived on scene and also began performing life saving measures on Prudente.

[8] At approximately 5:17 p.m., Prudente was placed in the back of the ambulance and at approximately 5:26 p.m., the ambulance left the scene to transport Prudente to Sanford Hospital. I rode in the back of the ambulance and remained with Prudente until a BCI agent arrived.

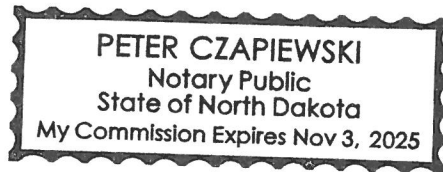
[9] At approximately 5:35 p.m., the ambulance arrived at Sanford Hospital with Prudente where he was later pronounced deceased.


**FURTHER AFFIANT SAYETH NOT.**

Dated this 15 day of August, 2023.

  
\_\_\_\_\_  
Brandon Hauck

Subscribed and sworn before me this 15 day of August, 2023.



  
\_\_\_\_\_  
Notary Public